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Gabriel S Meyer  
Assistant General Attorney

March 17, 2008



**Via UPS Second Day**

The Honorable Anne Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20024

**RE: STB Docket No. AB-33 (Sub-No. 265X)—Abandonment and  
Discontinuance of Trackage Rights on the Santa Monica Industrial  
Lead, from Milepost 485.61 to Milepost 486.00**

Dear Secretary Quinlan

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two years (49 C F R 1152.50), enclosed are an original and ten (10) copies of a verified Notice of Exemption, including a Certificate of Service and Publication

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 265X)  
Enclosed is a credit authorization voucher in the amount of \$3,200.00 for the filing fee  
Please contact me if you have any questions

Sincerely,

Gabriel S Meyer

**FEE RECEIVED**

MAR 19 2008

**SURFACE  
TRANSPORTATION BOARD**

Enclosures

ENTERED  
Office of Proceedings

MAR 19 2008

Part of  
Public Record

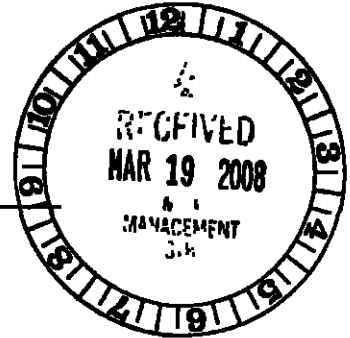
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MAR 19 2008

**SURFACE  
TRANSPORTATION BOARD**

BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Docket No. AB-33 (Sub-No. 265X)

UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--  
IN LOS ANGELES COUNTY, CALIFORNIA  
(SANTA MONICA INDUSTRIAL LEAD)

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Notice of Exemption

ENTERED  
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MAR 19 2008  
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Public Record

UNION PACIFIC RAILROAD COMPANY  
Gabriel S Meyer  
Assistant General Attorney  
1400 Douglas Street  
STOP 1580  
Omaha, NE 68179  
(402) 544-1658  
(402) 501-3393 (FAX)

**FEE RECEIVED**

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**SURFACE  
TRANSPORTATION BOARD**

Dated March 17, 2008  
Filed March 19, 2008

**FILED**

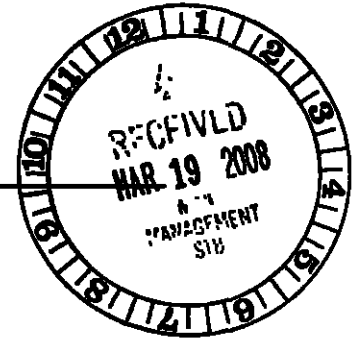
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**SURFACE  
TRANSPORTATION BOARD**

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Docket No. AB-33 (Sub-No. 265X)**

**UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN LOS ANGELES COUNTY, CALIFORNIA  
(SANTA MONICA INDUSTRIAL LEAD)**

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**Notice of Exemption**

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C F R 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights for an exempt abandonment of service on the Santa Monica Industrial Lead from Milepost 485 61 to Milepost 485 69, and a discontinuance of trackage rights from Milepost 485 69 to Milepost 486 00, a total distance of 0 39 miles in the City of Los Angeles, Los Angeles County, California (the "Line")

**Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)**

The abandonment and discontinuance are proposed to be consummated on or after May 8, 2008 (at least 50 days after filing the Notice of Exemption)

**Certification: 49 C.F.R. 1152.50(b)**

UP certifies that no local or overhead traffic has moved over the Line for at least two years. Therefore, there is no need to reroute any traffic. UP further certifies that no formal complaint filed by a user of rail service on the Line (or filed by a state or local

governmental entity acting on behalf of such user) regarding cessation of service over the Line is pending either with the Board or any U S District Court, or has been decided in favor of the complainant within the two-year period

**Additional Information Required: 49 C.F.R. 1152.22(a)(1)-(4), (7)-(8) and (e)(4)**

**(a) General**

**(a)(1)** The railroad's exact name is Union Pacific Railroad Company

**(a)(2)** UP is a common carrier by railroad subject to 49 U S C Subtitle IV, Chapter 105

**(a)(3)** UP intends to abandon the Santa Monica Industrial Lead from Milepost 485 61 to Milepost 485 69, and discontinue trackage rights from Milepost 485 69 to Milepost 486 00, a total distance of 0 39 miles in the City of Los Angeles, Los Angeles County, California

**(a)(4)** A map showing the location of the Line in relation to other rail lines, highways, and major roads in the area is attached as **Exhibit 1**

**(a)(7)** The representative to whom correspondence regarding this abandonment and discontinuance should be sent is

Gabriel S Meyer  
Assistant General Attorney  
1400 Douglas Street  
STOP 1580  
Omaha, NE 68179  
(402) 544-1658  
(402) 501-3393 (FAX)

**(a)(8) ZIP Codes** The Line traverses U S Postal Service Zip Codes 90011 and 90058

**(e)(4) Rural and Community Impact**

The Line was originally constructed by the Los Angeles and Independence Railway in 1875. The portion of the Line over which UP proposes to discontinue trackage rights was sold by UP's predecessor, Southern Pacific Transportation Company, to the Los Angeles Metropolitan Transportation Authority ("Metro") in 1990. On the segment of the Line that UP owns, the track contains a combination of 90 and 126-pound jointed rail, installed in 1975.

UP does not believe the portion of the Line proposed for abandonment is suitable for other public purposes, including roads or highways, other forms of mass transportation, conservation, or energy production or transmission, in that the area is adequately served by existing roads (including Interstates 5, 10, and 110) and utility lines. The right-of-way is not suitable for use as a recreational trail due to its limited length and location in an industrialized area.

There are no shippers on the Line, and no commodities have originated or terminated on the Line for over two years. There is no overhead traffic over the Line, or any passenger service. No complaints regarding cessation of service have been filed at the Board, are pending, or have been decided in favor of a complainant within the past two years. The Line's abandonment will have no effect on local or regional transportation systems, and no traffic will be diverted to other transportation systems.

Based upon information in the UP's possession, the Line contains no federally granted rights-of-way and none of the adjacent property is reversionary. UP will make any documentation in its possession available promptly to those requesting it.

A map of the Line is attached as **Exhibit No. 1**.

### **Labor Protection**

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co -- Abandonment -- Goshen , 360 ICC 91 (1979)

### **Certifications**

Attached as **Exhibit 2** is a Certificate of Service and Publication, pursuant to the notice requirements of 49 C F R §§ 1152 50(d)(1), 1105 11 and 1105 12

### **Environmental and Historic Report**

A copy of the Transmittal Letter that accompanied UP's combined Environmental and Historic Report ("EHR"), containing the information required by 49 C F R §§ 1105 7 (e) and 1105 8, and delivered in accordance with 49 C F R 1105 11, is attached as **Exhibit 3** The original and ten (10) copies were filed with Ms Victoria Rutson, Section of Environmental Analysis (SEA), on February 26, 2008 The EHR indicated that the proposed abandonment does not involve historic properties

Dated this 17th day of March, 2008

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY



Gabriel S Meyer  
Assistant General Attorney  
1400 Douglas Street  
STOP 1580  
Omaha, NE 68179  
(402) 544-1658  
(402) 501-3393 (FAX)

**VERIFICATION**

STATE OF NEBRASKA )

COUNTY OF DOUGLAS )

) ss  
)

I, RAYMOND E ALLAMONG, JR , Senior Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U S C 1001 by imprisonment up to five years and fines up to \$10,000 for each offense Additionally, I know that these misstatements are punishable as perjury under 18 U S C 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense

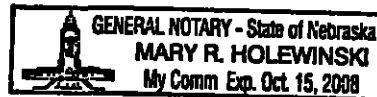
Dated at Omaha, Nebraska, this 17th day of March, 2008

  
Raymond E Allamong, Jr

SUBSCRIBED AND SWORN TO  
before me this 17th day of  
March, 2008

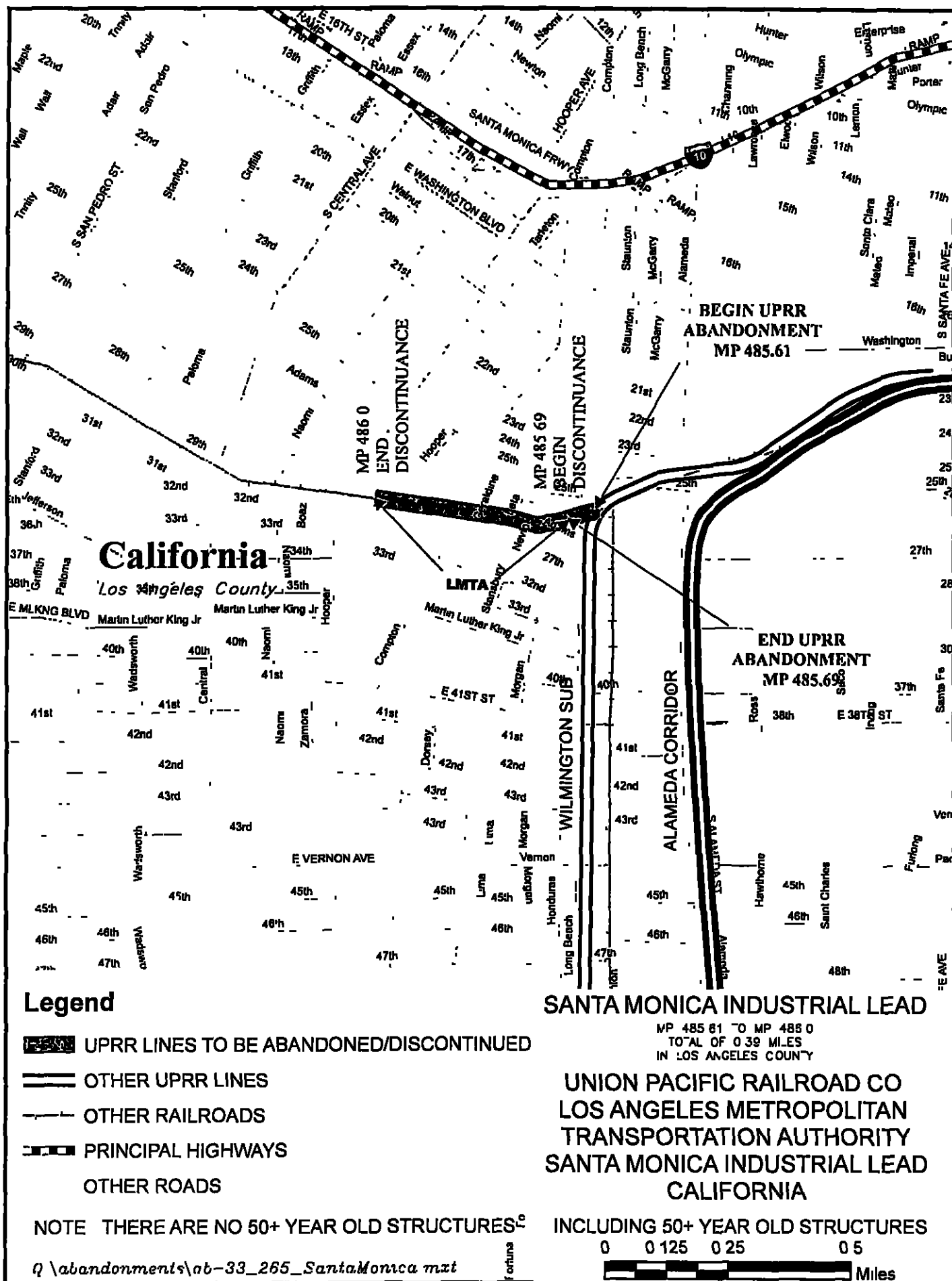
  
Notary Public

My Commission expires October 15, 2008



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# EXHIBIT 1





**UNION PACIFIC RAILROAD COMPANY  
--ABANDONMENT EXEMPTION--  
IN LOS ANGELES COUNTY, CALIFORNIA  
(SANTA MONICA INDUSTRIAL LEAD)**

**CERTIFICATE OF SERVICE AND PUBLICATION**

**49 C.F.R. § 1152.50(d)(1) - Notice**

The undersigned certifies that on March 4, 2008 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Santa Monica Industrial Lead from Milepost 485 61 to Milepost 485 69, and discontinue trackage rights from Milepost 485 69 to Milepost 486 00, a total distance of 0 39 miles in the City of Los Angeles, Los Angeles County, California in Docket No AB-33 (Sub-No 265X) Written notice (a copy of which is attached) was served on the following

California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102-3298

National Park Service  
Pacific West Region  
One Jackson Center  
1111 Jackson St , Suite #700  
Oakland, CA 94607

U S Dept of Agriculture  
Chief of the Forest Service  
4<sup>th</sup> Floor, N W Auditors Bldg  
14<sup>th</sup> St & Independence Ave , SW  
Washington, DC 20250

Department of Defense  
Military Traffic Management  
Command  
Transportation Engr Agency  
Railroads for National Defense Program  
720 Thimble Shoals Blvd  
Suite #130  
Newport News, VA 23606-2575

**49 C.F.R. § 1105.11—Environmental and Historic Report**

The undersigned certifies that on February 26, 2008 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C F R §§ 1105 7 and 1105 8 was served in Docket No AB-33 (Sub-No 265X) for

abandonment and discontinuance of the Santa Monica Industrial Lead in Los Angeles County, California on the following

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U S Environmental Protection Agency (regional office)
- (6) U S Fish and Wildlife Service
- (7) U S Army Corps of Engineers
- (8) National Park Service
- (9) U S Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served )

**49 C.F.R. § 1105.12 - Newspaper Notice**

The undersigned further certifies that a "Notice of Intent to Abandon" was published in the form prescribed by the Board for a Notice of Exemption The Notice was published one time in a major newspaper in the county in which the Line is located as follows

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Los Angeles	<i>Santa Monica Daily Press</i>	March 14, 2008

Dated this 17th day of March, 2008

  
Charles W Saylor



Gabriel S Meyer  
Assistant General Attorney

March 4, 2008

California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102-3298

National Park Service  
Pacific West Region  
One Jackson Center  
1111 Jackson St , Suite #700  
Oakland, CA 94607

U S Dept of Agriculture  
Chief of the Forest Service  
4<sup>th</sup> Floor, N W Auditors Bldg  
14<sup>th</sup> St & Independence Ave , SW  
Washington, DC 20250

Department of Defense  
Military Traffic Management  
Command  
Transportation Engr Agency  
Railroads for National Defense Program  
720 Thimble Shoals Blvd  
Suite #130  
Newport News, VA 23606-2575

**RE: Proposed Abandonment and Discontinuance of Trackage Rights on the Santa Monica Industrial Lead, from Milepost 485.61 to Milepost 486.00--STB Docket No. AB-33 (Sub-No. 265X).**

Dear Sir or Madame

This is notice that Union Pacific Railroad Company ("UP") expects to file with the United States Surface Transportation Board ("STB"), on or after March 17, 2008, a notice of an exempt abandonment on the Santa Monica Industrial Lead from Milepost 485 61 to Milepost 485 69, and an exempt discontinuance of trackage rights from Milepost 485 69 to Milepost 486 00, a total distance of 0 39 miles in the City of Los Angeles, Los Angeles County, California (the "Line") The Line traverses U S Postal Service Zip Codes 90011 and 90058

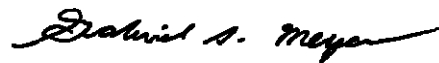
The "no business" exemption procedure will be used to abandon and discontinue service on the Line, pursuant to the STB's abandonment regulations at 49 C F R § 1152 50 No local traffic has moved over the Line for at least two years and there is no overhead traffic on the Line A Notice of Exemption to abandon and discontinue service on the respective segments of the Line pursuant to 49 C F R § 1152 50 (no local traffic for at least two years) will be filed with the STB on or after March 17, 2008

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Based on information in UP's possession, the Line does not contain federally granted rights-of-way. Any documentation in UP's possession will be made available promptly to those requesting it.

A map showing the segments of Line to be abandoned and discontinued, respectively, is attached for your information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gabriel S. Meyer".

Gabriel S. Meyer  
Assistant General Attorney

Attachment

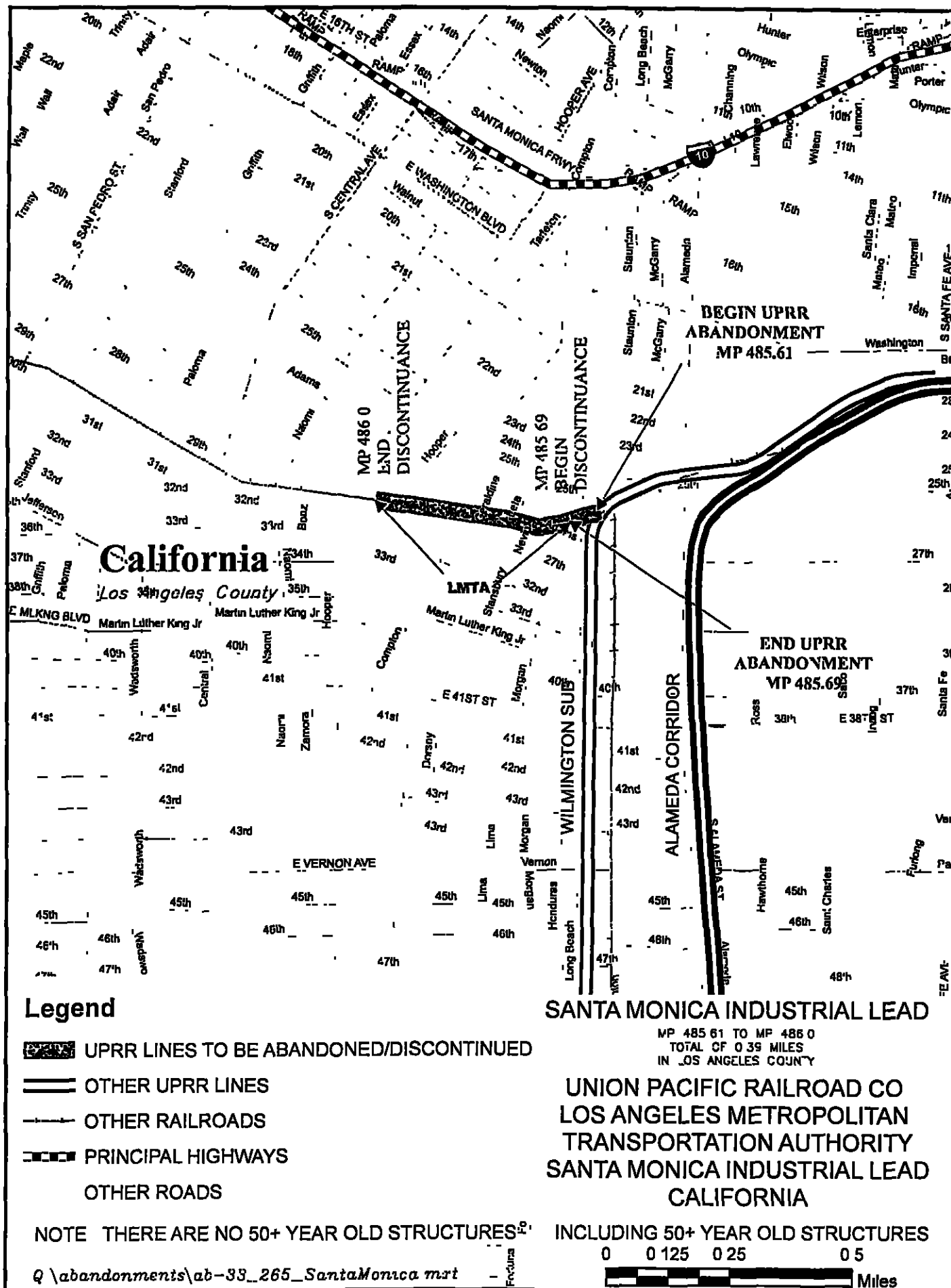


EXHIBIT 3



Gabriel S. Meyer  
Assistant General Attorney

221696

February 22, 2008

**Via UPS 2nd Day Air**

Surface Transportation Board  
395 E Street, SW  
Washington, DC 20024

ENTERED  
Office of Proceedings

FEB 27 2008

Part of  
Public Record

**Attention: Victoria Rutson**

**Re: Proposed Abandonment and Discontinuance of Trackage Rights on the  
Santa Monica Industrial Lead, from Milepost 485.61 to Milepost 486.00--  
STB Docket No. AB-33 (Sub-No. 265X)**

Dear Ms. Rutson

Enclosed for filing in the above-referenced matter is the original and ten (10) copies of Union Pacific Railroad Company's Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. Sections 1105.7 and 1105.8, with a Certificate of Service and a transmittal letter pursuant to 49 C.F.R. Section 1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after March 17, 2008. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gabriel S. Meyer".

Gabriel S. Meyer

Enclosures